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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CARRIE COUSER,
INDIVIDUALLY AND ON
BEHALF OF ALL OTHERS
SIMILARLY SITUATED,

Plaintiff,

vs.

**COAST TO COAST GRANT
GETAWAYS, LLC; and GRAND
INCENTIVES, INC,**

Defendant.

) Case No. 5:14-cv-00722-MMM-DTB
)
) **JOINT STIPULATION OF**
) **DISMISSAL OF ACTION WITH**
) **PREJUDICE AS TO THE NAMED**
) **PLAINTIFFS AND WITHOUT**
) **PREJUDICE AS TO THE**
) **PUTATIVE CLASS**

NOW COME THE PARTIES by and through their attorneys to respectfully
move this Honorable Court to dismiss this matter with prejudice as to the named
Plaintiffs, and without prejudice as to the putative class, pursuant to Federal Rule
of Civil Procedure 41(a)(1)(A)(ii). Each party shall bear their own costs and
attorney fees. A proposed order has been concurrently submitted to this Court via
email.

1 The notice and approval requirements of Federal Rule of Civil Procedure
2 23(e)¹ are inapplicable to the parties' settlement and dismissal of this putative
3 class action because this action has not been certified as a class. Regardless, there
4 is no prejudice to the absent class members because (i) it is highly unlikely that
5 there has been any reliance by putative class members on the filing of this class
6 action to vindicate their rights; (ii) putative class members' claims will not be
7 prejudiced by lack of adequate time to file other actions due to the tolling of the
8 absent class members' claims; (iii) there have been no concessions, impairments
9 or other actions taken by the Parties' counsel that would prejudice the class'
10 claims; and (iv) the putative class members are being dismissed without
11 prejudice.

12 The Parties agree that this Court can proceed to dismiss this Action entirely
13 with prejudice as to the Named Plaintiff and without prejudice as to the Putative
14 Class.

15 Respectfully submitted this 4th day of March, 2015

16 By: s/Todd M. Friedman, Esq.
17 TODD M. FRIEDMAN
18 Attorney for Plaintiffs

19 By: s/William Benjamin DeClercq, Esq.
20 WILLIAM BENJAMIN DECLERCQ
21 Attorney for Defendants

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¹ Federal Rule of Civil Procedure 23(e) states "[t]he claims, issues or defenses of a certified class may be settled, voluntarily dismissed, or compromised only with the Court's approval."

1 Filed electronically on this 4th day of March, 2015, with:

2 United States District Court CM/ECF system

3 Notification sent electronically via the Court's ECF system to:

4
5 Honorable Margaret M. Morrow
6 United States District Court
7 Central District of California

8 William Benjamin DeClercq
9 DeClercq Law Group

10
11 This 4th day of March, 2015

12
13 s/Todd M. Friedman, Esq.
14 TODD M. FRIEDMAN